

1 **JOINT RESOLUTION AMENDING THE UTAH**
2 **CONSTITUTION - STOCK AND BOND SUBSCRIPTIONS**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: David Clark**

6 Senate Sponsor: Lyle W. Hillyard

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to
11 amend a provision relating to the subscription to stock or bonds.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:

14 ▶ authorize the state to subscribe to stock or bonds using funds in the permanent State
15 School Fund and funds derived from federal land grants designated in the Enabling
16 Act, except as limited by statute.

17 **Special Clauses:**

18 This resolution directs the lieutenant governor to submit this proposal to voters.

19 This resolution provides a contingent effective date of January 1, 2009 for this proposal.

20 **Utah Constitution Sections Affected:**

21 AMENDS:

22 **ARTICLE VI, SECTION 29**

24 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*
25 *of the two houses voting in favor thereof:*

26 Section 1. It is proposed to amend Utah Constitution Article VI, Section 29, to read:

27 **Article VI, Section 29. [Lending public credit and subscribing to stock or bonds**
28 **forbidden -- Exceptions.]**

29 (1) Neither the State nor any county, city, town, school district, or other political

30 subdivision of the State may lend its credit or, except as provided in [~~Subsection~~] Subsections
31 (2) and (3), subscribe to stock or bonds in aid of any private individual or corporate enterprise
32 or undertaking.

33 (2) Except as otherwise provided by statute, the State or a public institution of
34 post-secondary education may acquire an equity interest in a private business entity as
35 consideration for the sale, license, or other transfer to the private business entity of intellectual
36 property developed in whole or in part by the State or the public institution of post-secondary
37 education, and may hold or dispose of the equity interest.

38 (3) Except as limited by statute, the State may subscribe to stock or bonds with:
39 (a) funds in the permanent State School Fund established in Article X, Section 5; and
40 (b) funds derived from federal land grants designated in Sections 8 and 12 of the
41 Enabling Act of the State.

42 Section 2. **Submittal to voters.**

43 The lieutenant governor is directed to submit this proposed amendment to the voters of
44 the state at the next regular general election in the manner provided by law.

45 Section 3. **Effective date.**

46 If the amendment proposed by this joint resolution is approved by a majority of those
47 voting on it at the next regular general election, the amendment shall take effect on January 1,
48 2009.